

STATE OF WISCONSIN

Senate Journal

Ninety-First Regular Session

10:00 A.M.

TUESDAY, May 11, 1993

The Senate met.

The Senate was called to order by Brian D. Rude, President of the Senate.

The roll was called and the following Senators answered to their names:

Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leean, Lorman, Moen, Moore, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz Stitt, Weeden, Wineke and Zien — 33.

Absent — None.

Absent with leave — None.

The Senate stood for a moment of silent meditation.

The Senate remained standing and Senator Jauch led the Senate in the pledge of allegiance to the flag of the United States of America.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 285

Relating to designating and marking a certain bridge as the 'Badger Chapter of the 82nd Airborne Division Bridge'.

By Senators Helbach, Breske, Moen and Zien; cosponsored by Representatives Gruszynski, Stower, Boyle, Potter, Riley, Lorge, Ryba, Zukowski, Welch, Green and Seratti.

To committee on Transportation, Agriculture, Local and Rural Affairs.

Senate Bill 286

Relating to pupil rights in research, experimental programs and testing.

By Senators Drzewiecki, Petak, Buettner, Leean and Zien; cosponsored by Representatives Wood, Silbaugh, Vergeront, Ladwig, Kreibich, Hahn, Lorge, Porter, Ott, Foti and Nass, by request of Wisconsin Family Forum.

To committee on Education.

Senate Bill 287

Relating to requiring full legal descriptions on real estate documents submitted for filing or recording.

By Senators Risser, Moen and Burke; cosponsored by Representatives Ryba, Turner, Boyle and Hanson.

To committee on Judiciary and Insurance.

Senate Bill 288

Relating to penalties for the violation of credit restrictions on liquor purchases and permitting 'Class B' licensees to purchase liquor from 'Class A' licensees.

By Senators Breske, Rude, Ellis, Lasee, Jauch, Helbach, Schultz, Cowles, Clausing, Potter and Decker; cosponsored by Representatives Hasenohrl, Vander Loop, Ryba, Stower, Ziegelbauer, Lehman, Baldus, Musser, Ladwig, Meyer, Underheim, Porter, Bock, Ourada, Goetsch, Albers, Boyle, Hinkfuss, Freese, Kaufert, Ainsworth, Seratti, Schneiders, Zukowski, Lorge and Bolle.

To committee on Transportation, Agriculture, Local and Rural Affairs.

Senate Bill 289

Relating to payments under fair-share and maintenance of membership agreements.

By Senators Leean, Rude, Farrow, Stitt, Darling, Huelsman, Buettner, Schultz and Drzewiecki; cosponsored by Representatives Vergeront, Prosser, Brandemuehl, Albers, Vrakas, Urban, Schneiders, Ott, Duff, Jensen, Gard, Lehman, Goetsch, Johnsrud, Silbaugh, Hahn, Lazich, Ladwig, Ainsworth, Seratti, Owens, Dobyns, Zukowski, Ward and Otte.

To committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

COMMITTEE REPORTS

The committee on Judiciary and Insurance reports and recommends:

YOUNG, STELLA A., of Racine, as a member of the Public Defender Board, to serve for the term ending May 1, 1995.

Confirmation:

Ayes, 7 -- Senators Huelsman, Stitt, Petak, Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Senate Bill 69

Relating to battery to school district officers or employees and providing penalties.

Passage:

Ayes, 6 -- Senators Huelsman, Stitt, Petak, Darling, Risser and Chvala;

Noes, 1 -- Senator Adelman.

Senate Bill 74

Relating to the service of process in the supplementary examination of a judgment debtor.

Passage:

Ayes, 7 -- Senators Huelsman, Stitt, Petak,
Darling, Risser, Adelman and Chvala;
Noes, 0 -- None.

Senate Bill 76

Relating to appropriate filing offices under the uniform federal lien registration act.

Passage:

Ayes, 7 -- Senators Huelsman, Stitt, Petak,
Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Senate Bill 118

Relating to granting to counties the right to prohibit by ordinance and impose forfeitures for certain conduct that is prohibited by state statute.

Passage:

Ayes, 7 -- Senators Huelsman, Stitt, Petak,
Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Senate Bill 137

Relating to causing great bodily harm by the intoxicated use of a vehicle and providing a penalty.

Passage:

Ayes, 7 -- Senators Huelsman, Stitt, Petak,
Darling, Risser, Adelman and Chvala;

Noes, 0 -- None.

Joanne B. Huelsman
Chair

The committee on State Government Operations and Corrections reports and recommends:

HUSZ, JOHN E., of Milwaukee, as Chairman of the Parole Commission, to serve for the term ending March 1, 1995.

Confirmation:

Ayes, 4 -- Senators Drzewiecki, Lasee, Schultz and Moen;

Noes, 0 -- None.

Senate Joint Resolution 23

Relating to 4-year terms of office for sheriffs (first consideration).

Adoption:

Ayes, 4 -- Senators Drzewiecki, Lasee, Schultz and Moen;

Noes, 0 -- None.

Senate Bill 140

An act relating to allowing a municipal governing body to appoint a person as a temporary municipal judge pending the initial election for that position.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 5 -- Senators Drzewiecki, Lasee, Schultz, Helbach and Moen;

Noes, 0 -- None.

Passage as amended:

Ayes, 5 -- Senators Drzewiecki, Lasee, Schultz, Helbach and Moen;

Noes, 0 -- None.

Gary Drzewiecki
Chair

The committee on Environment and Energy reports and recommends:

Senate Bill 156

Relating to the sale or distribution of toys containing toxic substances.

Passage:

Ayes, 5 -- Senators Cowles, Stitt, Farrow, Burke and Clausing;

Noes, 0 -- None.

Robert Cowles
Chair

The committee on Health, Human Services and Aging reports and recommends:

CONNOLLY-KEESLER, EILEEN, of Appleton, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1995.

Confirmation:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

SHELLINGER, JACQUELINE D., of Elm Grove, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1995.

Confirmation:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Senate Bill 17

Relating to volunteer health care providers in Sheboygan county.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Senate Bill 20

Relating to requiring that newly constructed removable prosthetic devices be marked with the patient's name or social security number.

Introduction and adoption of Senate amendment 1:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Senate Bill 39

Relating to the regulation of chiropractors and granting rule-making authority.

Passage:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Senate Bill 67

Relating to changing requirements concerning publication of notice and conduct of public hearings for proposed hospital rate changes.

Introduction and adoption of Senate substitute amendment 1:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Senate Bill 68

Relating to defining physician's assistants as health care providers for certain purposes and changing the term 'physician's assistant' to 'physician assistant'.

Introduction and adoption of Senate amendment 1:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Passage as amended:

Ayes, 7 -- Senators Buettner, Lorman, Rude, Rosenzweig, Moen, Breske and Moore;

Noes, 0 -- None.

Carol A. Buettner
Chair

The committee on Transportation, Agriculture, Local and Rural Affairs reports and recommends:

PRINCE, JOHN, of Waupun, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 1999.

Confirmation:

Ayes, 3 -- Senators Lasee, Drzewiecki and Zien;

Noes, 0 -- None.

Senate Bill 11

Relating to the hours during which the board of review is scheduled to meet.

Introduction and adoption of Senate amendment 1:

Ayes, 3 -- Senators Lasee, Drzewiecki and Zien;

Noes, 0 -- None.

Passage as amended:

Ayes, 3 -- Senators Lasee, Drzewiecki and Zien;

Noes, 0 -- None.

Senate Bill 70

Relating to the sale of calves at livestock markets and by livestock dealers and the identification of slaughter calves.

Passage:

Ayes, 3 -- Senators Lasee, Drzewiecki and Zien;

Noes, 0 -- None.

Senate Bill 136

Relating to vehicle registration by dealers, distributors, manufacturers and transporters.

Passage:

Ayes, 3 -- Senators Lasee, Drzewiecki and Zien;

Noes, 0 -- None.

Senate Bill 142

Relating to motor vehicle instructional operation by permittees under 16 years of age.

Passage:

Ayes, 3 -- Senators Lasee, Drzewiecki and Zien;

Noes, 0 -- None.

Alan J. Lasee
Chair

The committee on Senate Organization reports and recommends:

Assembly Joint Resolution 44

Relating to the life and legacy of Robert Gard.

Concurrence:

Ayes, 5 -- Senators Ellis, Rude, Farrow, Helbach and Risser;

Noes, 0 -- None.

Assembly Joint Resolution 48

Relating to designating the first week in May of 1993 as 'Elder Abuse Awareness Week'.

Concurrence:

Ayes, 5 -- Senators Ellis, Rude, Farrow, Helbach and Risser;

Noes, 0 -- None.

Assembly Joint Resolution 51

Relating to observing the week of May 2 to 8, 1993, as 'Suicide Awareness Week'.

Concurrence:

Ayes, 5 -- Senators Ellis, Rude, Farrow, Helbach and Risser;

Noes, 0 -- None.

Assembly Joint Resolution 53

Relating to the life and public service of Francis Byers.

Concurrence:

Ayes, 5 -- Senators Ellis, Rude, Farrow, Helbach and Risser;

Noes, 0 -- None.

Michael G. Ellis
Chair

PETITIONS AND COMMUNICATIONS
STATE OF WISCONSIN
ETHICS BOARD

May 4, 1993

To the Honorable the Senate:

JOURNAL OF THE SENATE [May 11, 1993]

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the names of organizations recently registered with the Ethics Board as employing one or more individuals to affect state legislation or administrative rules. For each organization I have noted the general area of legislative or administrative action which the organization has described as the object of its lobbying activity and the name of each licensed lobbyist that the organization has authorized to act on its behalf.

C.H.A.D.D. State A.D.D. Council of Wisconsin

Subjects: Issues relating to education in general and/or education of students with disabilities.

Earl, Anthony

Spellmeyer, Grant

Motorcycle Dealers Assoc., Wisconsin

Subjects: All areas relevant to the interest of motorcycle dealers and other general business issues.

Blume, Ed

Steam Fitters Union Local 601

Subjects: All areas of interest to working men and women in Wisconsin.

Krajewski, Thomas

McDowell, Kelly

Schreiber, Martin

United Professionals/1199/SEIU

Subjects: Any state legislation and/or administrative Rules that impact on state employees, collective bargaining, Wisconsin Retirement System, State Employee Health Insurance and all other legislative matters affecting wages, benefits and conditions of employment of public and private sector health care employees.

Taranto, Mindy

The Organizations listed below have indicated to the Ethics Board that they do not expect to spend more than \$500 in a calendar year for lobbying activities. The organizations are exempt from registration and are not required to file a Statement of Lobbying Activities and Expenditures. The organizations' lobbyists are exempt from the licensing requirement. s. 13.621(5) Wisconsin Statutes.

County Forests Assoc., Inc., Wisconsin

Subjects: Our organization attempts to educate the general public about forestry and issues that pertain to County Forests, in particular. We will work with legislators on items that may affect forestry.

Matthews, Colette J.

School Bus Assoc., Wisconsin

Subjects: Safety, transportation, insurance, personnel items, UC and WC.

Christian, Robert

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,

R. Roth Judd

Executive Director

STATE OF WISCONSIN
ETHICS BOARD

May 4, 1993

To the Honorable the Senate:

At the direction of s. 13.685(7), Wisconsin Statutes, I am furnishing you with the following changes in the Ethics Board's records of licensed lobbyists and their employers.

Organization's authorization of additional lobbyists: The following organizations previously registered with the Ethics Board as employers of lobbyists have authorized to act on their behalf these additional licensed lobbyists:

Bell South Cellular Corp.

Ulichny, Barbara

Wimmer, James

Funeral Directors Assoc., Wisconsin

Katzman, William

Petroleum Marketers Assoc. of Wisconsin & Wisconsin Assoc. of Convenience Stores, Inc.

Richard, JoAnna

Wholesale Beer Distributors Assoc., Inc., Wisconsin

Cook, Sharon

Mitchell, Brian

Organization's termination of lobbyists: Each of the following organizations previously registered with the Ethics Board as the employer of a lobbyist has withdrawn, on the date indicated, its authorization for the lobbyist identified to act on the organization's behalf.

Bell South Cellular Corp.

Broydrick, Bill 4/30/93

Hurtgen, Robert 4/30/93

Petroleum Marketers Assoc. of Wisconsin & Wisconsin Assoc. of Convenience Stores, Inc.

Hurtgen, Robert 5/3/93

Organization's modification or amendment of records: The organizations listed below have previously registered with the Ethics Board and now indicate the following modifications to their records:

Wildlife Federation, Wisconsin

Phone Number Change:

(414)542-6705

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by the organizations that employ lobbyists.

Sincerely,
R. Roth Judd
Executive Director

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

May 4, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint LEROY E. CONNER Jr. of Sun Prairie, as Administrator of the Division of Emergency Government pursuant to the statute governing, to serve for the term ending at the pleasure of the Governor.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on State Government Operations and Corrections.

State of Wisconsin
Office of the Governor

May 7, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ANTHONY S. EARL of Madison, as a member of the Great Lakes Protection Fund pursuant to the statute governing, to serve for the term ending October 11, 1994.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Environment and Energy.

State of Wisconsin
Office of the Governor

May 5, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint A. HENRY HEMPE of Beloit, as a member of the Wisconsin Employment Relations Commission pursuant to the statute governing, to serve for the term ending March 11, 1999.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

State of Wisconsin
Office of the Governor

May 7, 1993

To the Honorable, the Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint PATRICK J. OSBORNE of Madison, as a member of the Great Lakes Protection Fund pursuant to the statute governing, to serve for the interim term ending October 11, 1993 and for the full term ending October 11, 1995.

Respectfully,
Tommy Thompson
Governor

Read and referred to committee on Environment and Energy.

CALENDAR OF TUESDAY, MAY 11, 1993

Senator Ellis, with unanimous consent, asked that all the appointments be taken up en masse except for the appointment of Stella A. Young.

CONNOLLY-KEESLER, EILEEN, of Appleton, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1995.

Read.

HUSZ, JOHN E., of Milwaukee, as Chairman of the Parole Commission, to serve for the term ending March 1, 1995.

Read.

PRINCE, JOHN, of Waupun, as a member of the Board of Agriculture, Trade and Consumer Protection, to serve for the term ending May 1, 1999.

Read.

SHELLINGER, JACQUELINE D., of Elm Grove, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 1995.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leraan, Lorman, Moen, Moore, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Stitt, Weeden, Wineke and Zien — 33.

Noes — None.

Absent or not voting — None.

Confirmed.

YOUNG, STELLA A., of Racine, as a member of the Public Defender Board, to serve for the term ending May 1, 1995.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Adelman, Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, George, Helbach, Huelsman, Jauch, Lasee, Leraan, Lorman, Moen, Moore, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Stitt, Weeden, Wineke and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

SENATE CLEARINGHOUSE ORDERS

Clearinghouse Rule 92–205

Relating to the principles and practice exam for professional engineers.

Submitted by Department of Regulation and Licensing.

Report received from agency, May 6, 1993.

Referred to committee on Business, Economic Development and Urban Affairs, May 11, 1993.

Clearinghouse Rule 92–207

Relating to the waiver provisions of the minimum standards for property surveys.

Submitted by Department of Regulation and Licensing.

Report received from agency, May 6, 1993.

Referred to committee on Business, Economic Development and Urban Affairs, May 11, 1993.

Clearinghouse Rule 93–34

Relating to restroom parity.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, May 7, 1993.

Referred to committee on Human Resources, Labor, Tourism, Veterans and Military Affairs, May 11, 1993.

Clearinghouse Rule 93–81

Relating to hazardous material transportation registration.

Submitted by State Emergency Response Board.

Report received from agency, May 5, 1993.

Referred to committee on Environment and Energy, May 11, 1993.

Clearinghouse Rule 93–89

Relating to patients compensation fund and mediation fund fees for fiscal year 1993–94, filing of certificates of coverage by insurers and self-insured health care

providers and requirements for group medical malpractice policies.

Submitted by Office of the Commissioner of Insurance.

Report received from agency, May 7, 1993.

Referred to committee on Judiciary and Insurance, May 11, 1993.

SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

Senate Joint Resolution 23

Relating to 4-year terms of office for sheriffs (first consideration).

Read a second time.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the joint resolution be considered for final action at this time.

Senate Joint Resolution 23

Read a third time.

The ayes and noes were required and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes – Senators Andrea, Breske, Buettner, Burke, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Lasee, Leraan, Lorman, Moen, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Weeden, Wineke and Zien – 28.

Noes – Senators Adelman, George, Jauch, Moore and Stitt – 5.

Absent or not voting – None.

Adopted.

Senate Bill 11

Relating to the hours during which the board of review is scheduled to meet.

Read a second time.

The question was: Adoption of Senate amendment 1?

Adopted.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 11

Read a third time and passed.

Senate Bill 17

Relating to volunteer health care providers in Sheboygan county.

Read a second time.

The question was: Adoption of Senate substitute amendment 1?

Adopted.

Senator Leraan, with unanimous consent, asked that **Senate Bill 17** be referred to the joint committee on Finance.

Senator Leean, with unanimous consent, asked that **Senate Bill 17** be withdrawn from the joint committee on Finance and taken up.

Read a second time.

Senator Buettner, with unanimous consent, asked that she be listed as a co-author of **Senate Bill 17**

Senator Risser, with unanimous consent, asked that he be listed as a co-author of Senate substitute amendment 1 to **Senate Bill 17**.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 17

Read a third time and passed.

Senate Bill 20

Relating to requiring that newly constructed removable prosthetic devices be marked with the patient's name or social security number.

Read a second time.

The question was: Adoption of Senate amendment 1?
Adopted.

Ordered to a third reading.

Senator Farrow, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 20

Read a third time and passed.

Senate Bill 67

Relating to changing requirements concerning publication of notice and conduct of public hearings for proposed hospital rate changes.

Read a second time.

Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 67** offered by Senators Buettner and Moen.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1?
Adopted.

The question was: Adoption of Senate substitute amendment 1?
Adopted.

Ordered to a third reading.

Senator Farrow, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 67

Read a third time and passed.

Senate Bill 68

Relating to defining physician's assistants as health care providers for certain purposes and changing the term "physician's assistant" to "physician assistant".

Read a second time.

The question was: Adoption of Senate amendment 1?
Adopted.

Ordered to a third reading.

Senator Farrow, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 68

Read a third time and passed.

Senate Bill 69

Relating to battery to school district officers or employees and providing penalties.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that he be listed as a co-author of **Senate Bill 69**.

Senator Schultz, with unanimous consent, asked that he be listed as a co-author of **Senate Bill 69**.

Senator Farrow, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 69

Read a third time.

Senator George moved that **Senate Bill 69** be referred to the committee on Judiciary and Insurance.

The question was: Shall **Senate Bill 69** be referred to the committee on Judiciary and Insurance?

The ayes and noes were demanded and the vote was: ayes, 8; noes, 25; absent or not voting, 0; as follows:

Ayes – Senators Adelman, Burke, Chvala, Clausing, George, Jauch, Moore and Risser – 8.

Noes – Senators Andrea, Breske, Buettner, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Lasee, Leean, Lorman, Moen, Petak, Plewa, Potter, Rosenzweig, Rude, Schultz, Stitt, Weeden, Wineke and Zien – 25.

Absent or not voting – None.

Referral refused.

The question was: Shall the bill pass?

The ayes and noes were demanded and the vote was: ayes, 28; noes, 5; absent or not voting, 0; as follows:

Ayes – Senators Andrea, Breske, Buettner, Chvala, Clausing, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Helbach, Huelsman, Lasee, Leean, Lorman, Moen, Petak, Plewa, Potter, Risser, Rosenzweig, Rude, Schultz, Stitt, Weeden, Wineke and Zien – 28.

Noes – Senators Adelman, Burke, George, Jauch and Moore – 5.

Absent or not voting – None.

Passed.

Senate Bill 70

Relating to the sale of calves at livestock markets and by livestock dealers and the identification of slaughter calves.

Read a second time.

Senator Moen, with unanimous consent, asked that the Senate recess until 11:29 A.M..

11:12 A.M. =t 3

RECESS

11:29 A.M.

The Senate reconvened.

Senate Bill 70

Relating to the sale of calves at livestock markets and by livestock dealers and the identification of slaughter calves.

Read a second time.

Senator Helbach, with unanimous consent, asked that the journal show that had they been present at the committee meeting Senators Clausing and Andrea would have voted no on **Senate Bill 70**.

Senator Clausing moved that **Senate Bill 70** be laid on the table.

The question was: Shall **Senate Bill 70** be laid on the table?

Tabling refused.

Senator Drzewiecki, with unanimous consent, asked that that he be listed as a co-author of **Senate Bill 70**.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 70

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes — Senators Andrea, Breske, Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Llean, Lorman, Petak, Potter, Rosenzweig, Rude, Schultz, Stitt, Weeden and Zien — 20.

Noes — Senators Adelman, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Risser and Wineke — 13.

Absent or not voting — None.

Passed.

Senate Bill 74

Relating to the service of process in the supplementary examination of a judgment debtor.

Read a second time.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 74

Read a third time and passed.

Senate Bill 76

Relating to appropriate filing offices under the uniform federal lien registration act.

Read a second time.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 76

Read a third time and passed.

Senate Bill 118

Relating to granting to counties the right to prohibit by ordinance and impose forfeitures for certain conduct that is prohibited by state statute.

Read a second time.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 118

Read a third time.

CHAIR

12:04 P.M.

Senator Lasee in the Chair.

Senator George, moved that **Senate Bill 118** be referred to committee on Judiciary and Insurance.

Senator Adelman, with unanimous consent, asked that **Senate Bill 118** be referred to joint committee on Finance.

Senator Huelsman objected.

Senator George withdrew his motion to refer **Senate Bill 118** to committee on Judiciary and Insurance.

Senator Adelman moved that **Senate Bill 118** be referred to joint committee on Finance.

The question was: Shall **Senate Bill 118** be referred to joint committee on Finance?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 22; absent or not voting, 0; as follows:

Ayes — Senators Adelman, Burke, Chvala, Clausing, George, Helbach, Jauch, Moore, Plewa, Risser and Wineke — 11.

Noes – Senators Andrea, Breske, Buettner, Cowles, Darling, Decker, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Moen, Petak, Potter, Rosenzweig, Rude, Schultz, Stitt, Weeden and Zien – 22.

Absent or not voting – None.

Referral refused.

Senator Drzewiecki, with unanimous consent, asked that he be listed as a co-author of **Senate Bill 118**.

Senate Bill 118

The question was: Shall the bill pass?

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes – Senators Andrea, Breske, Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Petak, Potter, Rosenzweig, Rude, Schultz, Stitt, Weeden and Zien – 20.

Noes – Senators Adelman, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Risser and Wineke – 13.

Absent or not voting – None.

Passed

Senate Bill 136

Relating to vehicle registration by dealers, distributors, manufacturers and transporters.

Read a second time.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 136

Read a third time.

Senator Helbach, with unanimous consent, asked that the journal show that had they been present at the committee meeting Senators Clausing and Andrea would have voted aye on **Senate Bill 136**.

Passed.

Senate Bill 137

Relating to causing great bodily harm by the intoxicated use of a vehicle and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senator Rosenzweig, with unanimous consent, asked that she be listed as a co-author of **Senate Bill 137**.

Senate Bill 137

Read a third time and passed.

Senate Bill 140

An act relating to allowing a municipal governing body to appoint a person as a temporary municipal judge pending the initial election for that position.

Read a second time.

The question was: Adoption of Senate substitute amendment 1?

Senator Plewa moved rejection of Senate substitute amendment 1.

The question was: Rejection of Senate substitute amendment 1?

CHAIR

12:32 P.M.

Senator Rude in the Chair.

The question was: Rejection of Senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 14; noes, 19; absent or not voting, 0; as follows:

Ayes – Senators Adelman, Andrea, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Risser and Wineke – 14.

Noes – Senators Breske, Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Petak, Potter, Rosenzweig, Rude, Schultz, Stitt, Weeden and Zien – 19.

Absent or not voting – None.

Rejection refused.

The question was: Adoption of Senate substitute amendment 1?

Adopted.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 140

Read a third time and passed.

Senate Bill 142

Relating to motor vehicle instructional operation by permittees under 16 years of age.

Read a second time.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 142

Read a third time.

Senator Helbach, with unanimous consent, asked that the journal show that had they been present at the committee meeting Senators Clausing and Andrea would have voted aye on **Senate Bill 142**.

Senator Drzewiecki, with unanimous consent, asked that he be listed as a co-author of **Senate Bill 142**.

Senate Bill 142

Passed.

Senate Bill 156

Relating to the sale or distribution of toys containing toxic substances.

Read a second time.

Senate amendment 1 to **Senate Bill 156** offered by Senator Cowles.

The question was: Adoption of Senate amendment 1?

Adopted.

Ordered to a third reading.

Senator Ellis, with unanimous consent, asked that the bill be considered for final action at this time.

Senate Bill 156

Read a third time and passed.

Senator Helbach, with unanimous consent, asked that when the Senate adjourns today it do so on honor of Congressman Elect Peter Barca.

Senator Ellis, with unanimous consent, asked that the Senate move to the fourteenth order of business.

MOTIONS

Senator Buettner, with unanimous consent, asked that she be listed as the primary author of **Senate Bill 199**.

Senator Ellis, with unanimous consent, asked that **Assembly Joint Resolution 33, Assembly Joint Resolution 42, Assembly Joint Resolution 44, Assembly Joint Resolution 48, Assembly Joint Resolution 51, Assembly Joint Resolution 53 and Assembly Bill 23** be laid on the table.

Senator Burke objected.

Senator Ellis moved that **Assembly Joint Resolution 33, Assembly Joint Resolution 42, Assembly Joint Resolution 44, Assembly Joint Resolution 48, Assembly Joint Resolution 51, Assembly Joint Resolution 53 and Assembly Bill 23** be laid on the table.

The question was: Shall **Assembly Joint Resolution 33, Assembly Joint Resolution 42, Assembly Joint**

Resolution 44, Assembly Joint Resolution 48, Assembly Joint Resolution 51, Assembly Joint Resolution 53 and Assembly Bill 23 be laid on the table?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 16; absent or not voting, 0; as follows:

Ayes — Senators Buettner, Cowles, Darling, Drzewiecki, Ellis, Farrow, Huelsman, Lasee, Leean, Lorman, Petak, Rosenzweig, Rude, Schultz, Stitt, Weeden and Zien — 17.

Noes — Senators Adelman, Andrea, Breske, Burke, Chvala, Clausing, Decker, George, Helbach, Jauch, Moen, Moore, Plewa, Potter, Risser and Wineke — 16.

Absent or not voting — None.

Tabled.

Senator Risser, with unanimous consent, asked that all the items that had been tabled from the calendar be taken up en masse.

Senator Ellis objected.

Senator Ellis, with unanimous consent, asked that the Senate move to the fifteenth order of business.

ANNOUNCEMENTS

Senator Ellis, with unanimous consent, asked that all action be ordered immediately messaged.

Senator Stitt moved that the Senate adjourn until 9:00 A.M. Wednesday, May 12.

Senator Risser moved that the motion to adjourn should be amended to provide for reconvening at 10:00 A.M. Wednesday, May 12.

The question was: Adoption of the amended motion to adjourn till 10:00 A.M. Wednesday, May 12.

Adoption refused.

The question was: Adoption of the motion to adjourn till 9:00 A.M. Wednesday, May 12.

Adopted.

1:15 P.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 101

1. Page 1, line 10: delete "pars. (b) and (bn)" and substitute "par. (b)".